

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION

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UNITED STATES OF AMERICA,

Plaintiff,

vs.

RANDY BRANCH,

Defendant.

MEMORANDUM DECISION AND  
ORDER GRANTING DEFENDANT'S  
*PRO SE* MOTION FOR EARLY  
TERMINATION OF SUPERVISED  
RELEASE

Case No. 2:02-CR-776 TS

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This matter is before the Court on Defendant Randy Branch's *Pro Se* Motion for Early Termination of Supervised Release, filed August 8, 2005. The government has not filed a response. Having considered the file, the circumstances presented by this case, and being otherwise fully informed, the Court will grant Defendant's Motion, as set forth below.

BACKGROUND

On May 12, 2003, Defendant pleaded guilty to User in Possession of a Firearm and Ammunition, and Aiding and Abetting. Defendant was sentenced on August 21, 2003, to a term of incarceration of 12 months plus one day, to be followed by a 36-month term of supervised

release. Judgment was entered on August 27, 2003. Defendant began his term of supervised release on March 24, 2004.

DISCUSSION

18 U.S.C. §§ 3583(e) permits the Court to terminate supervised release at any time after a defendant has completed at least one year of supervised release, but prior to completion of the entire term, if the Court is satisfied that such action is 1) warranted by the conduct of an offender and 2) is in the interest of justice. In making this determination, the Court is directed to consider the factors set forth in 18 U.S.C. § 3553(a), to the extent they are applicable.

The Court has considered these factors, has reviewed the docket and case file, and has consulted with Defendant's supervising officer. It has been represented to the Court that Defendant has satisfied all of his court-related financial obligations, has been fully compliant with all the terms of his supervised release, has completed drug counseling, and has had no violations. This supervision history has resulted in a favorable recommendation from Defendant's supervising officer.

Therefore, the Court finds that early termination of Defendant's term of supervised release is both warranted by the conduct of the offender and in the interest of justice.

CONCLUSION

Based upon the above, it is hereby

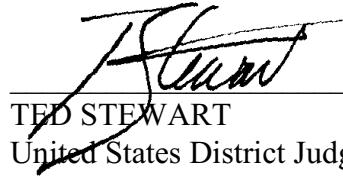
ORDERED that Defendant's *Pro Se* Motion for Early Termination of Supervised Release is GRANTED; it is further

ORDERED that Defendant's term of supervised release shall be terminated effective immediately, and this case shall be closed.

SO ORDERED.

DATED this 17th day of August, 2005.

BY THE COURT:

  
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TED STEWART  
United States District Judge